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ABSTRACT

This guide on the employment of minors is intended for 14- through 17-year olds, their parents, and employers. It first lists requirements for employers who hire minors. Then it lists the jobs that 14- and 15-year-old workers can do, both the types of businesses that would hire them and examples of the kinds of jobs that 14- and 15-year-olds may apply for. It also describes restrictions on jobs that 16- and 17-year-old workers can do. Other sections address the following: working hours for 14- and 15-year-olds and for 16- and 17-year olds; working conditions (breaks, meal periods, adequate work, weight lifting); paychecks (minimum wage, overtime, paydays, deductions, uniforms, final paychecks); agriculture employment (who can work, power driven machinery, agricultural minimum wage, hours in agriculture); entertainment productions; canneries; door-to-door sales; and youth camps. The final section lists prohibited/hazardous occupations or operations for 16- and 17-year-olds. (YLB)

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Jack Roberts, Commissioner

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Employment *of* MINORS

A guide for 14 through 17-year-olds, their parents and employers

ED 399 442

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Note: Nothing contained in the following summary of administrative rules and statutory requirements applies to minors who are news carriers or who work in and about the family home. Nor does this summary cover all regulations by all agencies. Contact the nearest Bureau of Labor and Industries office with specific questions.

Going To Work For The First Time

Child labor laws protect young people in the work force. Although minors are no longer required to have work permits, they, their parents and employers should be aware of laws and regulations applying to young people, ages 14-17 and the kinds of jobs and working hours that are allowed.

EMPLOYERS WHO HIRE MINORS *MUST:*

- Comply with all child labor laws
- Verify the age of each minor hired from an appropriate proof of age document such as passport, driver's license or birth certificate
- Maintain a list of all minors hired
- Post a validated **Employment Certificate** in a conspicuous location where all employees may readily see it. **To obtain an Employment Certificate**, an employer must file an annual *Employment Certificate Application* with the Bureau of Labor and Industries' Wage and Hour Division. Applications are available at all bureau offices or employers can call the Child Labor Unit in Portland, 503-731-4074 and have an application sent to them.
  - Employers fill out the application and send it to the bureau's Child Labor Unit, 800 NE Oregon St. #32, Portland, Oregon 97232
  - When the application is approved, the bureau sends a validated annual **Employment Certificate** to the employer
  - If the employer changes the work duties of minors at any time, the employer must fill out a *Notice of Change in Duties* form and send it to the bureau for approval
  - The bureau sends employers renewal notices approximately six weeks prior to the expiration of their annual certificate.

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JOBS THAT 14- AND 15-YEAR-OLD WORKERS CAN DO

TYPES OF BUSINESSES	THESE ARE EXAMPLES OF THE KINDS OF JOBS THAT 14- AND 15-YEAR-OLDS MAY APPLY FOR:
Offices ▸	Office work of all kinds.
Wholesale/Retail Stores and Services ▸	Price marking or tagging, assembling or packing orders, cashiering, selling or stock work in retail sales or service establishments, bagging orders in grocery stores, clean-up work, including using vacuum cleaners and floor waxers, display or window trimming, work in art or advertising offices.
Restaurants, Hotels ▸	Food service, bussing dishes, cooking at soda fountains, lunch counters or cafeteria serving counters, kitchen work including the use of machines such as dishwashers, blenders, corn-poppers, dumbwaiters.
Carwashes ▸	Car washing, cleaning and polishing.
Service Stations ▸	Service station attendant, but not using pits, racks or lifting apparatus, and not inflating any tire mounted on a rim equipped with removable retaining ring.
Theaters, Amusement Parks ▸	Ushering, sales or services in theaters, recreation areas or establishments but not operating rides.
Parks, Yards ▸	Outdoor maintenance work, such as brush clearing, removing litter, grounds-keeping, but not using power driven mowers or cutters.
Nursing Homes, Hospitals ▸	Assisting in patient care in hospitals or nursing homes, but not using any power driven lifting apparatus.
Daycare Centers ▸	Child care.
Kennels ▸	Pet grooming, pet care.
Farms ▸	Agricultural work, such as picking or plant propagation, care of livestock.
Entertainment Productions ▸	Acting or performing in a film or entertainment production.

JOBS THAT 16- AND 17-YEAR-OLD WORKERS CAN DO

There are many more jobs that 16- and 17-year-olds may do. They are restricted only in the use of some machinery, explosives, radioactive substances, mining and logging operations. (See the list of hazardous, prohibited occupations at the end of this summary.)

Working Hours

FOR 14- AND 15-YEAR-OLDS

When school is in session:

- Three hours per day on school days.
- Eight hours per day on non-school days.
- 18 hours per week maximum.
- Only between the hours of 7 a.m. and 7 p.m. Working is not allowed during school hours.

When school is not in session:

- Eight hours per day.
- 40 hours per week maximum.
- From June 1 through Labor day: 7 a.m. to 9 p.m.

FOR 16- AND 17-YEAR-OLDS

Any time of year:

- Any hours - no daily restrictions.
- 44 hours per week maximum.

Working Conditions

ALL employers operating in Oregon, including those covered under the federal Fair Labor Standards Act, must comply with state laws regulating general working conditions.

Breaks (Rest Periods)

Rest periods of at least 15 minutes must be provided during each 4 hours (or major portion) of work time.

Meal Periods

Meal periods of at least 30 minutes must be provided no later than five hours and one minute after the minor reports to work. Fourteen and 15-year-olds must be fully relieved of work duties during this time. Sixteen and 17-year-old employees may work during a meal period, but must be paid for their time.

Adequate Work

Adequate work must be provided if the employer requires the minor to report to work. Adequate work means enough work (or compensation in lieu of work) to earn at least one half of the scheduled day's earnings.

Weight Lifting

An employee cannot be required to lift any weight which is too great for the individual.

Paychecks

Minimum Wage

- Employees must receive at least $4.75 per hour for all hours worked, including preparation time, opening and closing times and required meetings.
- Employers may not use tips as credit toward minimum wages owed to any employees.
- Employers covered under the federal Fair Labor Standards Act must comply with state laws regulating payment of minimum wage and overtime.

Overtime

Employees must be paid time and one-half the regular rate of pay for any time worked over 40 hours a week.

Paydays

Regular paydays must be established and maintained. A pay period may not exceed 35 days.

Deductions

Employers MAY make deductions for:

- The fair market value of meals or lodging provided for the private benefit of the employee.
- Those items which are required by law or provided for in a collective bargaining agreement.

Employers MAY NOT make deductions for the cost of:

- uniforms or tools or their maintenance.
- breakage or losses.

An itemized statement of deductions made from wages must be provided with each paycheck.

Uniforms

An employer may require an employee to purchase a uniform if the employee is paid more than minimum wage and the purchase price is not more than the amount paid above the minimum wage for ONE PAY PERIOD.

If an employee is required to wear a uniform and is being paid minimum wage, the employer must reimburse the employee for cleaning the uniform if dry cleaning is required.

Final Paychecks

If an employee is fired, all wages earned are due not later than the end of the first business day after discharge. If an employee quits with 48 hours or more notice, wages are due the last working day. If any employee quits without at least 48 hours notice, wages are due in five days or on the next payday, whichever occurs first. (There are some exceptions. Contact any Bureau of Labor and Industries office for information.)

Agriculture Employment

Who Can Work

Minors who are 12 years old may work on a farm. Minors who are 9 years old may work on a small farm which is operated under state regulations.

Power Driven Machinery

- A certificate of training for a completed program in tractor and farm machinery operation (4-H or vocational agriculture) is required to operate, to assist in operating, or to ride in or on power driven farm machinery.
- All employers, except as noted below, are required to submit an annual employment certificate application to the Wage and Hour Division.
- A minor may operate farm machinery at any age without an annual employment certificate if employed by the minor's father, mother, grandmother, grandfather, brother, sister, uncle or aunt, OR if living on a farm during summer vacation and the minor's parent or guardian has made a written agreement covering the operation of machinery and filed a copy of the agreement with the Wage and Hour Commission.

Agricultural Minimum Wage

If paid on a piece-rate basis, minors must be paid the same piece rates as adult workers. Piece-rate pay must equal minimum wage for the hours worked. Work on a small farm, however, may not be subject to the minimum wage law. For detailed information on minimum wage in agriculture, contact the nearest Bureau of Labor and Industries office.

There is no requirement to pay overtime to agricultural employees.

Hours In Agriculture

There are special rules concerning the hours of work that apply to minors working in agriculture. These rules are available from the nearest Bureau of Labor and Industries office.

Entertainment Productions

Employers engaged in entertainment productions involving minors may register with the Bureau of Labor and Industries in lieu of an annual employment certificate.

Minors of any age, except babies under 15 days old, may work in films, television productions, stage entertainment or other kinds of entertainment productions.

An annual employment certificate is not needed for a job of short duration (five days or less), provided the employer has registered with the Bureau of Labor and Industries.

In all entertainment production employment that is for a longer period of time, minors under 14 years of age may apply to the Bureau of Labor and Industries for a special permit.

Canneries

Minors employed in canneries may not work longer than 10 hours in any one day unless the employer has been issued an emergency overtime permit by the Wage and Hour Commission.

Door-to-Door Sales

Minors who are at least 16 years old may work as a salesperson selling products in residential areas door-to-door. The employer must be registered with the Bureau and give each minor a Bureau of Labor and Industries identification card to carry and show to customers.

Door-to-door sales work is not subject to minimum wage law.

Youth Camps

Non-profit youth camps are not subject to the minimum wage or overtime laws. There are no restrictions on the hours minors 16 and over may work in youth camps. Minors under 16 may not work more than eight (8) hours per day or 40 hours per week. Nor may minors under 16 work before 6 a.m. or later than 10 p.m.

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PROHIBITED/HAZARDOUS OCCUPATIONS OR OPERATIONS

1. Occupations Involving Explosives
All occupations in or about plants or establishments manufacturing or storing explosives or articles containing explosive components.

2. Motor Vehicle Occupations
All occupations of motor vehicle driver or outside helper riding outside the cab for the purpose of assisting in the transporting of goods.

3. Coal Mine Occupations
All coal mining occupations performed under ground, in an open pit, or on the surface of a coal mining plant for the purpose of extracting, grading, cleaning or handling coal.

4. Logging and Sawmilling Occupations
All logging operations or occupations in the operation of any sawmill, lathmill, shingle mill, or cooperage stock mill.

5. Power Driven Woodworking Machine Occupations
Woodworking occupations involving the use or maintenance of power driven woodworking machines for cutting, shaping, forming, surfacing, nailing, stapling, wire stitching, fastening or assembling, pressing or printing of wood or veneer.

6. Occupations Involving Exposure to Radioactive Substances
Occupations involving exposure to radioactive substances and to ionizing radiations.

7. Power Driven Hoisting Apparatus Occupations
Occupations involving the operation of power driven hoisting apparatus or assisting in the operation of hoisting apparatus, such as:

- elevators
- cranes
- derricks
- hoists
- fork-lifts
- high-lift trucks
- man-lifts
- freight elevators

8. Power Driven Metal Working Machine Occupations
The occupations of operator of or helper on power driven metal forming, punching and shearing machines.
This ORDER DOES NOT APPLY TO a very large group of metal working machines known as machine tools. MACHINE TOOLS, such as:

- milling function machines
- athes
- drill press
- planing function machines
- borers
- reamers
- grinding function machines
- drills
- honers

may be used by 16- and 17-year-old minors, as well as a number of other machine tools.

9. Occupations in Mining, Other Than Coal
Occupations in or on the surface of underground mines or quarries.

10. Occupations in Slaughtering or Meat Processing
Occupations involving slaughtering, meat packing or processing, or rendering, including but not limited to, the use, repair or cleaning of the following machines: meat patty forming machines, meat slicing machines, meat and bone cutting saws, knives and grinding, mixing, chopping machines.

11. Power Driven Bakery Machine Occupations
The occupations of operating, assisting to operate, repair or cleaning of dough mixers, batter mixers, bread dividing, rounding or molding machines, dough brake, dough sheeters, bread slicing and wrapping machines and cake cutting band saws. The occupation of setting up or adjusting a cookie or cracker machines. Other bakery machines may be used by 16- and 17-year-old minors.

12. Power Driven Paper Products Machine Occupations
The occupations of operating or assisting to operate paper products machines including, but not limited to: arm type wire stitchers or staplers, cover cutters, circular or band saws, guillotine paper cutters, scrap paper balers, platen die cutting presses, platen printing presses and punch presses.

Many paper products machines MAY BE USED by 16- and 17-year-old minors, including but not limited to:

- bag making and boxmaking machines
- gluing, gumming and folding machines
- rotary printing presses.

13. Brick and Tile Manufacturing Occupations
All work in or about establishments in which clay construction products are manufactured except work in offices, storage, shipping and drying departments. All work in or about establishments in which silica brick or silica refractory products are manufactured, except work in offices.

14. Operation of Power Saws and Shears Occupations
All occupations of operator or helper or setting up, repairing or cleaning circular saws, band saws and guillotine shears.

15. Occupations in Wrecking, Demolition and Shipbreaking Operations
All Occupations in wrecking, demolition and shipbreaking.

16. Occupations in Roofing Operations
All roofing operations, except gutter and downspout work which may be performed by 16- and 17-year-old employees.

17. Occupations in Excavation Operations
Excavating, working in, or backfilling trenches exceeding four feet in depth. Excavating for buildings or working in such excavations. Working in tunnels or shafts prior to the completion of all driving, sinking and shoring operations.

18. Messenger Service Occupations
All delivery of messages or goods between the hours of 10:00 p.m. and 5:00 a.m.

For a complete listing of prohibited machines, see "Child Labor Bulletin No. 101" available from the United States Department of Labor, Wage-Hour Division in Portland, (503) 326-3057.

BUREAU OF LABOR AND INDUSTRIES

Jack Roberts, Commissioner

Wage And Hour Division

For more information write:

Bureau of Labor and Industries
Wage and Hour Division
800 NE Oregon #32
Portland, Oregon 97232
or call: 731-4074

Or contact:

Bend 1250 NE 3rd, #B-105, Bend, OR 97701
(503) 388-6330

Coos Bay 320 Central Ave, #510, Coos Bay, OR 97420
(503) 269-4575

Eugene 165 E 7th, #220, Eugene, OR 97401
(503) 686-7623

Medford 700 E Main, #105, Medford, OR 97504
(503) 776-6270

Pendleton 200 SE Hailey Ave., #308, Pendleton, OR 97801
(503) 276-7884

Salem 3865 Wolverine St NE; E-1; Salem, OR 97310
(503) 378-3292

TDD Portland – (503) 731-4106

Technical Assistance for Employers – (503) 731-4073

This information is available in an alternate format.

Bureau of Labor and Industries
Wage and Hour Division
800 NE Oregon #32
Portland, Oregon 97232

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